

Applicants: Bror Morein and Karin Lovgren Bengtsson
U.S. Serial No.: 10/520,022
Filing Date: January 23, 2006
Page 4 of 5

REMARKS

In response to the Restriction Requirement, which was issued for the above-identified application on October 22, 2008 applicants hereby elect the species of saponin fractions A and C in claim 10, with traverse. Applicants submit that it would not be unduly burdensome to search and examine all of the species together in one application. Applicants therefore request that the restriction requirement be withdrawn.

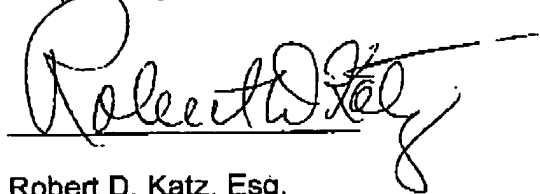
Applicants respectfully point out that the Examiner's requirement to elect one saponin fraction for claim 10 for examination is misplaced. Applicants note that the two saponin fractions recited in the claims work together to provide superior immunomodulating activity. Thus, applicants submit that claims 1 and 5 are combination claims, not generic claims, in that they do not present a selection of alternative species. There must be at least two saponin fractions to carry out the invention, and applicants have amended claim 10 to reflect this. Therefore, the request to identify a single specie for search and examination cannot stand. Applicants respectfully request that the restriction requirement identification of a single specie in claim 10 should be reconsidered and withdrawn.

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U.S. Serial No.: 10/520,022
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Page 5 of 5

The Director is authorized to charge any fee required in connection with this response to Deposit Account No. 03-3125. If any extension is required in connection with the filing of this response, applicants hereby request same and authorize the fee therefor to be charged to Deposit Account No. 03-3125.

Dated: November 17, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert D. Katz", is written over a horizontal line.

Robert D. Katz, Esq.
Registration No. 30,141
Cooper & Dunham LLP
Customer No. 23432
1185 Avenue of the Americas
New York, New York 10036
patentdocketing@cooperdunham.com
Tel. No. (212) 278-0400
Fax No. (212) 391-0525

Attorney for Applicants